

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Amend claims 2, 27, 30 and 35.
2. Amend the paragraph bridging pages 21 and 22 of the specification to be commensurate with the amended claims and in view of support manifest through the reminder of the specification and the drawings.
3. Respectfully traverse all prior art rejections.

B. PATENTABILITY OF THE CLAIMS

Claims 2, 11, 27, 30-31 and 35 stand rejected under 35 USC 102(e) as being anticipated by Admitted Prior Art. Claims 5-6, 12-13 and 32-34 stand rejected under 35 USC 103(a) as being unpatentable over Admitted Prior Art. All prior art rejections are respectfully traversed for at least the following reasons.

It is now unequivocal in each of independent claims 2, 27, 30, and 35 that Applicant's the first electrode has a first electrode major dimension and Applicant's second electrode has a second electrode major dimension, and that the first electrode major dimension and the second electrode major dimension extend in a direction perpendicular to a surface of the substrate. Further, Applicant's first electrode major dimension and Applicant's second electrode major dimension face each other in a direction parallel to the surface of the substrate.

The amendatory language to the specification and claims is amply supported by the specification and the drawings. See, for example, Fig. 1A, 1B, 5B, 6B, 6D, wherein the major dimension of both electrode 1 and electrode 3 is its height dimension "h", the

height dimension h being perpendicular to the surface of the substrate. An important aspect of Applicant's written disclosure is that Applicant's structure reduces a projected area occupied on a plane of the substrate, resulting in higher density, without increase in resistance and no reduction in operating speed (see, e.g., page 21, line 19 through page 23, line 19).

Applicant's claimed subject matter is not taught or suggested by the alleged admitted prior art. Clearly Applicant's prior art Fig. 11 shows electrodes 1 and 3 as having major dimensions which are parallel to the substrate. Applicant's claimed structure, on the other hand, has electrodes 1 and 3 with an entirely different orientation configured for achieving high density without suffering increase in resistance or reduction in operating speed.

It is respectfully requested that the amendment be entered and the application be passed to issue.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

TAJIRI, M.
Serial No. 10/700,467

Atty Dkt: 4074-10
Art Unit: 2827

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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